

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:11cv255

SEREFEX CORPORATION,

Plaintiff,

vs.

BILTMORE INVESTMENTS, LTD.,

Defendant.

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ORDER

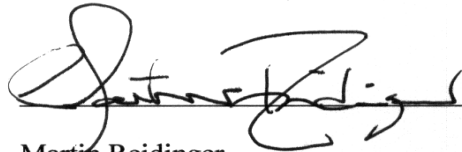
THIS MATTER is before the Court on the Defendant, Biltmore Investments, Ltd's Motion to Transfer Case to the United States Bankruptcy Court for the Western District of North Carolina (Asheville Division) [Doc. 126] and the Defendant, Biltmore Investments, Ltd's Amended Motion to Transfer Case to the United States Bankruptcy Court for the Western District of North Carolina (Asheville Division) [Doc. 132].

Defendant's attorney notes that counsel for the Plaintiff consent to the transfer of this core proceeding to Bankruptcy Court for all future proceedings and entry of final judgment. [Doc. 132 at 3]. The Plaintiff's Motion, however, does not address the impact, if any, of the recent Supreme Court decision of

Stern v. Marshall, ___ U.S. ___, 131 S.Ct. 2594, 180 L.Ed.2d 475 (2011).

IT IS, THEREFORE, ORDERED that on or before fifteen (15) days from entry of this Order, the parties shall address the impact, if any, of Stern v. Marshall on whether this case can be transferred to the Bankruptcy Court, and whether such transfer would be discretionary or mandatory. Such briefs shall not exceed ten (10) pages, double spaced, in 14 point type.

Signed: December 15, 2011


Martin Reidinger
United States District Judge

